

District Court <u>So. Dist. of Ohio, Western Division</u>	District Court Docket Number <u>1:02cv00430</u>
Short Case Title <u>Moore v. Kroger Co., et al.</u>	
Date Notice of Appeal Filed by Clerk of District Court <u>8/16/04</u> COA# <u>04-4076</u>	

**PART I.** (TO BE COMPLETED BY PARTY ORDERING TRANSCRIPT, THE FORM MUST BE SIGNED WHETHER OR NOT TRANSCRIPT IS ORDERED).

**A. Complete one of the following:**

- ☒ No hearings  
☒ Transcript is unnecessary for appeal purposes  
☐ Transcript is already on file in District Court Clerk's Office  
☐ This is to order a transcript of the following proceedings: (specify exact dates of proceedings)

JUDGE MAGISTRATE

HEARING DATE(S)

COURT REPORTER

Pre-trial proceedings \_\_\_\_\_

Testimony (specify witnesses) \_\_\_\_\_

Other (specify) \_\_\_\_\_

TRANSCRIPT OF THE FOLLOWING PROCEEDINGS WILL BE PROVIDED ONLY IF SPECIALLY AUTHORIZED. SEE ITEM 13 CJA FORM 24

- Voir Dire ☐ ; Opening statement of plaintiff ☐ defendant ☐ ;  
 Closing argument of plaintiff ☐ defendant ☐ ;  
 Jury instructions ☐ ;

**FAILURE TO SPECIFY IN ADEQUATE DETAIL THOSE PROCEEDINGS TO BE TRANSCRIBED, OR FAILURE TO MAKE PROMPT SATISFACTORY FINANCIAL ARRANGEMENTS FOR TRANSCRIPT, ARE GROUNDS FOR DISMISSAL OF THE APPEAL.**

**B. This is to certify that satisfactory financial arrangements have been completed with the court reporter for payment of the cost of the transcript. The method of payment will be:**

- ☐ Criminal Justice Act (Attach copy of CJA from 24)  
☐ Private funds

Date \_\_\_\_\_

Signature L.E. Barbiero Print Name Lawrence E. Barbiero Counsel for Kroger

Address 11935 Mason Road, Suite 110, Cin., OH 45249 Telephone 513-583-4200

**ALLOWANCE BY THE COURT OF LEAVE TO PROCEED IN FORMA PAUPERIS IN A CIVIL APPEAL DOES NOT ENTITLE THE LITIGANT TO HAVE TRANSCRIPT AT GOVERNMENT EXPENSE.**

**PART II.**

**COURT REPORTER ACKNOWLEDGEMENT** (To be completed by the Court Reporter and forwarded to the Court of Appeals within 10 days after receipt).

Date transcript order received	Estimated completion date; if not within 45 days of date financial arrangements made, motion for extension to be made to Court of Appeals	Estimated number of pages

- ☐ Arrangements for payment were made on \_\_\_\_\_  
☐ Arrangements for payment have not been made pursuant to FRAP (10(b))

\_\_\_\_\_  
 Date Signature of Court Reporter Telephone

**PART III.**

**NOTIFICATION THAT TRANSCRIPT HAS BEEN FILED IN THE DISTRICT COURT** (To be completed by court reporter on date of filing transcript in District Court and notification must be forwarded to Court of Appeals on the same date)

This is to certify that the transcript has been completed and filed with the District Court today.

\_\_\_\_\_ Actual Number of Pages \_\_\_\_\_ Actual Number of Volumes

\_\_\_\_\_  
 Date Signature of Court Reporter